

SO ORDERED



Michelle M. Harner
MICHELLE M. HARNER
U.S. BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at Baltimore**

In re:

Kristin Ann Goetz and
Travis William Yates,

Debtors.

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Case No. 17-22528-MMH

Chapter 13

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**ORDER ADDRESSING AMENDED CHAPTER 13 PLAN
AND SCHEDULING DEADLINES IN CHAPTER 13 CASE**

The matter before the Court is the Amended Chapter 13 Plan [ECF 52], filed by Kristin Ann Goetz and Travis William Yates, the above-captioned debtors (collectively, the “Debtors”). Subsequent to filing their amended plan, the Debtors filed a Pre-Confirmation Certification [ECF 53] and a Plan Support Document [ECF 58]. The Chapter 13 Trustee and Huhra Homes, LLC (“Huhra”) filed objections to the amended plan [ECF 57, 59]. The Court held a hearing on the Debtors’ amended plan and the related pleadings on July 9, 2018 (the “Hearing”).

At the Hearing, counsel for the Debtors explained that the Debtors were prepared to file a further amended plan that increases the monthly payments under the plan to \$3,554.00, which is approximately the amount of the Debtors’ disposable income listed on their Amended Schedule J at ECF 50. Although this proposed further amendment addressed some of the objections raised by the Chapter 13 Trustee and Huhra, it would not address the objections in their entirety.

Moreover, counsel for the Debtors acknowledged two caveats to the payments proposed by the further amended plan—i.e., the Debtors’ intention to request authority to use some of those funds to purchase a new vehicle and to retain counsel to contest the claims asserted against them by Huhra (collectively, the “Potential Payment Reductions”). The Potential Payment Reductions also are disclosed in the Debtors’ Plan Support Document.

Having considered the arguments and statements of counsel, and for the reasons set forth on the record at the Hearing, it is, by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the Debtors shall file with the Court and serve on parties in interest their further amended plan that increases the monthly payments under the plan to at least \$3,553.88, as generally represented by counsel on the record at the Hearing, **on or before July 16, 2018**; and it is further

ORDERED, that the Debtors shall commence payments to the Chapter 13 Trustee in the amount of at least \$3,553.88 per month immediately upon the first monthly trustee payment due after the filing of the further amended chapter 13 plan in accordance with this Order and shall continue making such payments until otherwise directed by an Order of the Court; and it is further

ORDERED, that the Debtors shall file with the Court and serve on parties in interest any motions requesting relief with respect to the Potential Payment Reductions **on or before July 30, 2018**, and such motions shall include the legal authority and factual circumstances supporting the requested relief; and it is further

ORDERED, that any objections to any relief requested by the Debtors with respect to the Potential Payment Reductions shall be filed with the Court and served on the Debtors **on or before August 13, 2018**; and it is further

ORDERED, that the Court shall hold a hearing on any motions filed by the Debtors requesting relief with respect to the Potential Payment Reductions, any pleadings filed in response thereto, and the Debtors' further amended chapter 13 plan on **August 20, 2018, at 1:30 p.m.**, in Courtroom 9-C in Baltimore; and it is further

ORDERED, that the Debtors shall commence any adversary proceeding or other litigation against Huhra regarding its claim against the Debtors **on or before September 10, 2018**; and it is further

ORDERED, that the Debtors' failure to comply with any of the deadlines established by this Order may result in the Court denying confirmation of the Debtors' chapter 13 plan without leave to amend, as requested by the Chapter 13 Trustee on the record at the Hearing, without further notice or hearing; and it is further

ORDERED, that the Court takes under advisement and reserves ruling on the Motion to Increase Debtors' Pre-Confirmation Payments Pursuant to 11 U.S.C. § 1326(a)(3) [ECF 43], filed by Huhra.

cc: Debtors
Debtors' Counsel
Counsel to Huhra Homes, LLC
Chapter 13 Trustee

END OF ORDER